IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No.106 of 2007
In
Writ Petition No.97 of 2005

Glaxosmithkline Pharmaceuticals Ltd. .. .. Appellant (Org.Petitioner)

Vs.

Shri Sameer Shah. .. .. Respondent (Org.Respondent)

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S/Shri P.K.Rele, Sr.Advocte, with Rajesh P.Rele i/b Piyush Shah for the Appellant.

Shri Jaiprakash Savant for Respondent No.1.

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CORAM : R.M.S.KHANDEPARKAR &
DR.D.Y.CHANDRACHUD, JJ

DATED : 12TH MARCH, 2007

P.C.

. Heard. By consent, the impugned order dated 19th June, 2006 in Writ Petition No.97 of 2005 along with the award Part-II dated 28th September, 2004 passed by the Labour Court, Mumbai, in Reference (IDA) No.584 of 2000 are hereby quashed and set aside and the matter is remanded to the Labour Court, Mumbai, to deal with the same afresh. Needless to say that the Labour Court, Mumbai, after taking into consideration

the entire evidence on record including deposition of Dr.Nigudkar, shall pass an award Part II afresh in accordance with the provisions of law, without being influenced in any manner by the observations made by the Learned Single Judge in the impugned order. It is made clear that we have not expressed any opinion about the merits of the case and all issues are kept open. Considering the fact that the reference relates to the year 2000, the Labour Court, Mumbai, is expected to dispose of the matter as expeditiously as possible and in any case prior to 31st August, 2007. The appeal accordingly stands allowed, with no order as to costs.

(R.M.S.KHANDEPARKAR, J)

(DR.D.Y.CHANDRACHUD, J)